

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

June 24, 2003

76

**FROM:** GARY PENROD, Sheriff  
Sheriff's Department

**SUBJECT:** U.S. DEPARTMENT OF JUSTICE, STATE CRIMINAL ALIEN ASSISTANCE  
PROGRAM (SCAAP)

**RECOMMENDATION:** Approve application to the U.S. Department of Justice, State Criminal Alien Assistance Program (SCAAP), for reimbursement of a portion of the costs to incarcerate undocumented criminal aliens; Ratify submittal of application by Sheriff.

**BACKGROUND INFORMATION:** The U.S. Department of Justice, Bureau of Justice Assistance, is making funds available, in the amount of \$250 million, for the reimbursement of a portion of the detention costs associated with the incarceration of undocumented criminal aliens through the State Criminal Alien Assistance Program (SCAAP). SCAAP is not a traditional reimbursement program in which the program provides reimbursement of the actual cost. Instead, SCAAP combines the data received by all of the applicants to determine each applicant's relative percentage of the total SCAAP allocation.

Filing for SCAAP reimbursement is an on-line process in which relevant inmate and facility cost data is entered. The program requires the filing be completed by the "Chief Executive Officer" of the jurisdiction or be delegated to another jurisdictional official. In prior years, the Sheriff's Department has requested Board approval for the Sheriff to be the delegated official for SCAAP filing purposes.

Due to uncertainties in federal funding and changes in the filing criteria, the Sheriff's Department did not have adequate time to seek Board of Supervisors' approval prior to the filing deadline of June 20, 2003. The County Administrative Office recommended the Department request the Chairman of the Board to authorize the Sheriff to submit the on-line application so that the Department could meet the June 20, 2003 deadline and then submit the item to the Board for ratification. The Chairman approved the application submission on June 16, 2003 and the Department is submitting it for ratification at the next available Board date.

This will be the sixth time the County has applied for reimbursement under this program. The County's reimbursement has averaged \$1 million per year for each of the five years the County received reimbursement (for a total of \$4,955,956). These funds, combined with revenue from federal prisoner housing, were used to purchase six helicopters to replace the Department's older aircraft and facility improvements. The Department requests future funds be earmarked for one-time Sheriff's Department facility and equipment needs.

**REVIEW BY OTHERS:** This action has been reviewed by the County Administrative Office (Mario Lara, Administrative Analyst) on June 16, 2003 and has been reviewed and approved as to form by County Counsel (Kevin L. Norris, Deputy County Counsel) on June 16, 2003.

**FINANCIAL IMPACT:** This program provides reimbursement for detention costs already incurred in FY01/02. No matching funds are required and no restrictions are placed on funds received. Historically, the County has received approximately \$1 million per year from this program; however, since federal appropriations for this program have been reduced by one-half (from \$551 million to \$250 million) the Department anticipates receiving a lower reimbursement amount.

**SUPERVISORIAL DISTRICT(S):** All

**PRESENTER:** Rod Hoops, Captain (387-3637)

MIN06-24 w SCAAP

Record of Action of the Board of Supervisors

76